



MEMORANDUM

To: PLANNING COMMISSION

Date: December 12, 2006

From: COMMUNITY DEVELOPMENT DEPARTMENT

**Subject: DEVELOPMENT SCHEDULE FOR MEASURE C APPLICATION,
MC-05-03: MONTEREY - GUNTER**

REQUEST

The applicant is requesting approval of a development schedule for a 15-unit mixed use residential development.

RECOMMENDATION

Application, DA-06-06: Adopt resolution approving development schedule

Processing Deadline: April 18, 2007

BACKGROUND/PROJECT DESCRIPTION

The project was awarded 15 allotments through the Small Vertical Mixed Use Category of the RDCS: four for FY 2006-07, one for FY 2008-09, and 10 for FY 2009-10. The applicant proposes to build a 15-unit mixed use residential development on an approximate one acre site located between Monterey Rd and McLaughlin Ave, approximately 100 ft north of E. Main Ave. The project will be constructed in two phases. The first phase will include an approximate 27,500-sf, three-story building consisting of retail and office uses on the bottom floor and four residential units on the second and third floors. The applicant received Architectural and Site Plan approval for the Phase 1 building in November 2005. The second phase of the project will include the expansion of the three-story building for the remaining 11 residential units and construction of parking garages.

CASE ANALYSIS

In accordance with Planning Commission Policy PCP-06-01 (effective October 25, 2006), only the commence construction deadline for Measure C projects will be contained in the project development agreement. The remaining development deadlines will now be approved separately by Planning Commission Resolution on consent calendar. The applicant is requesting approval of the development schedule for the Vista del Toro project, proposed on the former Gunter Brothers Granary site. Approval of a development schedule is required to ensure compliance with the statutory deadlines of the RDCS.

RECOMMENDATION

Staff recommends approval of the project development schedule as attached.

Attachments:

1. Approval Resolution (development schedule)
2. Measure C Application Site Plan and Building Elevations

RESOLUTION NO. 06- (development schedule)

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MORGAN HILL APPROVING A
DEVELOPMENT SCHEDULE FOR APPLICATION
MC-05-03: MONTEREY – GUNTER (APN 726-23-008)**

WHEREAS, the Planning Commission, pursuant to Chapter 18.78.125 of the Morgan Hill Municipal Code, awarded 15 building allotments for application MC-05-03: Monterey - Gunter; and

WHEREAS, the City Council of the City of Morgan Hill has adopted Resolution No. 4028, establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System (RDSCS), Title 18, Chapter 18.78 of the Morgan Hill Municipal Code; and

WHEREAS, prior to October 25, 2006, Development Agreements incorporated a development schedule to ensure projects comply with the statutory deadlines of the RDSCS; and

WHEREAS, to extend deadlines outlined in the development schedule, a property owner/developer was required to file an application to amend the Development Agreement which required public hearings and adoption of an ordinance by the City Council; and

WHEREAS, rather than continuing to require developers to go through a legislative process to amend their development schedules, the Planning Commission adopted Policy PCP-06-01 which allows development schedules and extension of time requests to be approved and adopted by Planning Commission Resolution on consent calendar; and

WHEREAS, PCP-06-01 became effective on October 25, 2006; and

WHEREAS, the development schedule for application MC-05-03: Monterey – Gunter was considered by the Planning Commission at their regular meeting of December 12, 2006, at which time the Planning Commission approved the development schedule.

**NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES
RESOLVE AS FOLLOWS:**

SECTION 1. ADOPTION OF DEVELOPMENT SCHEDULE. The Planning Commission hereby adopts the Development Schedule for MC-05-03: Monterey - Gunter attached to this Resolution as Exhibit A.

SECTION 2. The development schedule for the 15 units may be accelerated in accordance with the provisions of Measure F, approved by the voters in November 2006.

**PASSED AND ADOPTED THIS 12TH DAY OF DECEMBER 2006, AT A REGULAR
MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:**

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

FRANCES O. SMITH, Deputy City Clerk

ROBERT J. BENICH, Chair

EXHIBIT "A"

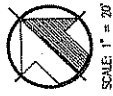
DEVELOPMENT SCHEDULE MC-05-03: MONTEREY - GUNTER
FY 2006-07 (4 allocations)/FY 2008-09 (1 allocation)/FY 2009-10 (10 allocations)

I. SUBDIVISION AND ZONING APPLICATIONS	
Applications Filed:	06-30-2007
II. SITE REVIEW APPLICATION	
Application Filed:	09-30-2007
III. FINAL MAP SUBMITTAL	
Map, Improvements Agreement and Bonds:	01-31-2008
IV. BUILDING PERMIT SUBMITTAL	
Submit plans to Building Division for plan check:	
FY 2006-07 (4 units)	08-01-2006
FY 2008-09 (1 unit)	05-15-2008
FY 2009-10 (10 units)	05-15-2009
V. BUILDING PERMITS	
Obtain Building Permits:	
FY 2006-07 (4 units)	01-31-2007
FY 2008-09 (1 unit)	09-30-2008
FY 2009-10 (10 units)	09-30-2009
Commence Construction:	
FY 2006-07 (4 units)	04-30-2007
FY 2008-09 (1 unit)	04-30-2009
FY 2009-10 (10 units)	04-30-2010

Failure to obtain building permits and commence construction by the dates listed above shall result in the loss of building allocations. Submitting a Final Map Application or a Building Permit six (6) or more months beyond the filing dates listed above shall result in the applicant being charged a processing fee equal to double the building permit plan check fee and/or double the map checking fee to recoup the additional costs incurred in processing the applications within the required time limits. Additionally, failure to meet the Final Map Submittal and Building Permit Submittal deadlines listed above may result in loss of building allocations. In such event, the property owner must re-apply under the development allotment process outlined in Section 18.78.090 of the Municipal Code if development is still desired.

An exception to the loss of allocation may be granted by the City Council if the cause for the lack of commencement was the City's failure to grant a building permit for the project due to an emergency situation as defined in Section 18.78.140 or extended delays in environmental reviews, permit delays not the result of developer inactions, or allocation appeals processing.

If a portion of the project has been completed (physical commencement on at least 8 dwelling units and lot improvements have been installed according to the plans and specifications), the property owner may submit an application for reallocation of allotments. Distribution of new building allocations for partially completed project shall be subject to the policies and procedures in place at the time the reallocation is requested.



SCALE: 1" = 20'

McLAUGHLIN AVENUE

726-23-002
'A TOOL SHED'

EX. 40' R/W

EX. STREET PAVING

PROPOSED STREET IMPROVEMENTS

PROPOSED R/W

EXISTING R/W

EXISTING R/W

TRASH ENCLOSURE

PHASE 2
GARAGE

PHASE 2
GARAGE

AUTO
COURTYARD

AUTO
COURTYARD

SOUND WALL

SOUND WALL

726-23-005
'TRAN'

726-23-009
'GOODWILL INDUSTRIES'

PHASE 2
RESIDENTIAL BUILDING

PHASE 1
COMMERCIAL BUILDING

726-23-006
'SHIMODA'

726-23-007
'POPMA'

TRASH ENCLOSURE

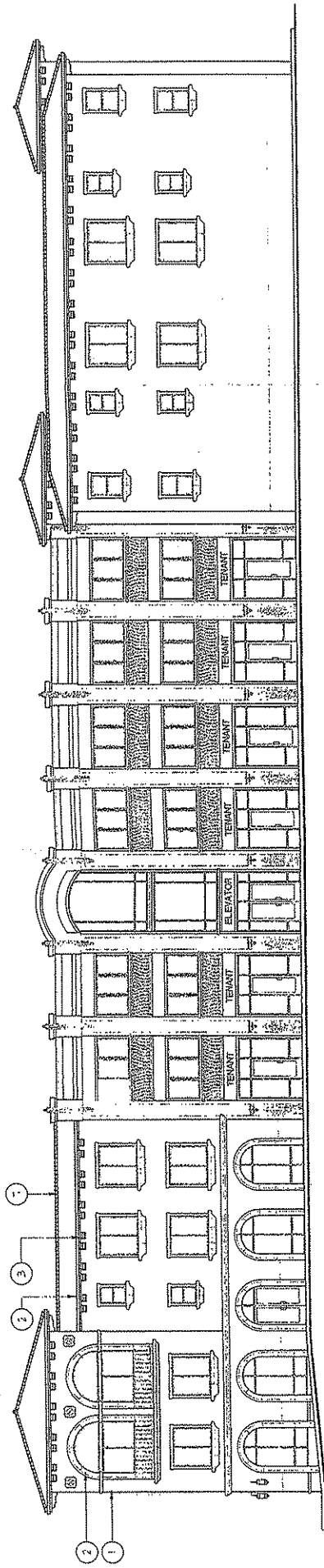
MONTEREY ROAD

MONTEREY ROAD

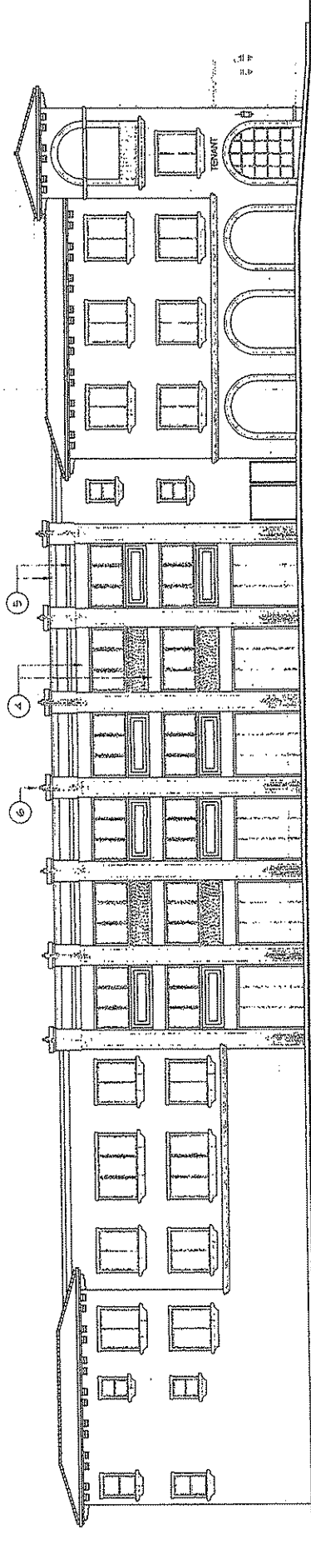
EAST MAIN AVENUE

SCALE: 1" = 20'

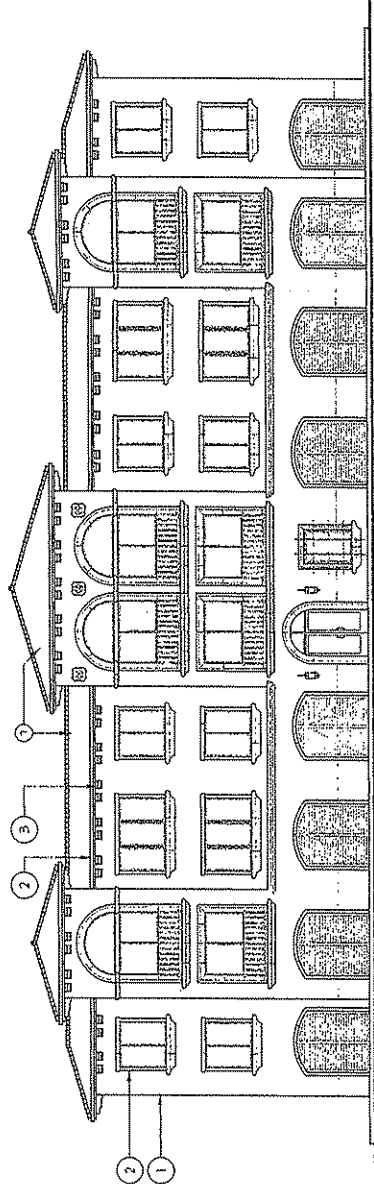
20' 0' 10' 20' 40'



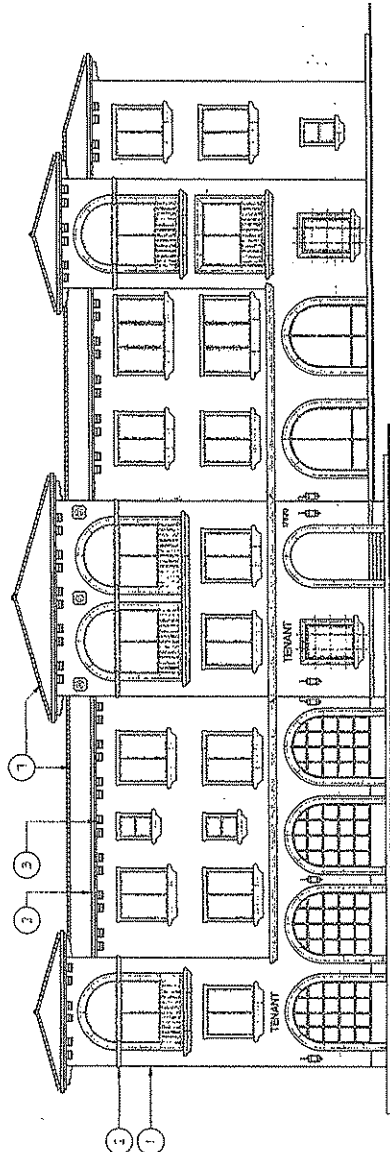
SOUTH (PARKING LOT) ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST (MONTEREY ROAD) ELEVATION

CONSTRUCTION KEYNOTES

- ① CEM. PLASTER O/ 2 LAYERS TYPE 'D' BLD'G. PAPER O/PLY.
(FINISH: 'LIGHT DASH COAT' - VERIFY W/OWNER), TYP.
FACADE A - BASE COLOR I
- ② CEM. PLASTER FINISH O/BUILT-UP FIBERGLASS REINFORCED
FOAM TRIM, TYP.
FACADE A - TRIM COLOR I
- ③ CEM. PLASTER FINISH O/BUILT-UP FIBERGLASS REINFORCED
FOAM TRIM, TYP.
FACADE A - TRIM COLOR II
- ④ CEM. PLASTER O/ 2 LAYERS TYPE 'D' BLD'G. PAPER O/PLY.
(FINISH: 'LIGHT DASH COAT' - VERIFY W/OWNER), TYP.
FACADE B - BASE COLOR I
- ⑤ CEM. PLASTER FINISH O/BUILT-UP FIBERGLASS REINFORCED
FOAM TRIM, TYP.
FACADE B - TRIM COLOR I
- ⑥ CEM. PLASTER FINISH O/BUILT-UP FIBERGLASS REINFORCED
FOAM TRIM, TYP.
FACADE B - TRIM COLOR II
- ⑦ CLASS 'A' CONCRETE 13-TILE ROOFING MATERIAL, EAGLE OR EQ.
SELECT BY OWNER, TYP. @ FACADE A